

**FLATHEAD COUNTY PLANNING BOARD  
MINUTES OF THE MEETING  
AUGUST 8, 2012**

**CALL TO  
ORDER**

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. Board members present were Greg Stevens, Charles Lapp, Frank DeKort, Gene Shellerud, Jim Heim, Jeff Larsen, and Robert Faulkner. Marie Hickey-AuClaire had an excused absence. Ron Schlegel arrived at 6:15 pm. BJ Grieve and Alex Hogle represented the Flathead County Planning & Zoning Office.

There were 3 people in the audience.

**APPROVAL OF  
MINUTES**

Heim made a motion seconded by DeKort to approve the July 11, 2012 meeting minutes.

DeKort had a correction on page 11 which was the groundwater should be 8 feet not 78 feet.

The motion passed by quorum to approve the minutes as corrected.

**PUBLIC  
COMMENT  
(not related to  
agenda items)**

None.

**RON & GAY  
ANN CALDBECK  
(FLV 12-03)**

A request by Ronald & GayAnn Caldbeck for a Major Lakeshore Variance within the Lakeside Zoning District. The applicants are proposing to construct a four space boat dock and slip to operate a commercial watercraft rental business. The proposal would require a variance to Section 4.3(2)(a)(2) which states the dock shall not exceed 60 feet in length, a variance to Section 4.3(B)(2)(c)(1) which requires a private marina to have a minimum of 250 feet of lake frontage and a variance to Section 4.3(B)(2)(a) requiring a minimum of 100 feet to remain open between the dock and the side riparian boundary. The properties are located at 7070 and 7074 Highway 93 South.  
**Permanently withdrawn by applicant August 7, 2012**

**STAFF  
PRESENTATION**

Grieve summarized the reasoning behind the above mentioned application having been withdrawn which included a mis-codification in the regulations concerning the commercial district in Lakeside.

The board and Grieve discussed where the district was, if the property was in the district, if any other conditional use permits had been issued outside the commercial district and the refunding of the application fee.

**MESSENGER /  
SAVELLE  
(FZC 12-01)**

A Zone Change request in the Bigfork Zoning District by Louise Messenger and Don & Rebekah Savelle. The proposal would change the zoning on 10 acres from SAG-5 (Suburban Agricultural) to R-1 (Suburban Residential). The property is located at 1430 and 1434 Bigfork Stage Road.

**STAFF REPORT**

Alex Hogle reviewed Staff Report FZC 12-01 for the Board.

**BOARD  
QUESTIONS**

Stevens and Hogle discussed the differences between SAG-5 and R-1 zoning and Bigfork Land Use Advisory Committee (BLUAC)'s findings.

Larsen and Hogle discussed if BLUAC had made any statutory findings to Hogle's staff report.

**APPLICANT  
PRESENTATION**

Rick Breckenridge, Proctor MT, represented the applicants. He said he found 17 goals and policies in the Bigfork Neighborhood Plan this zone change supported. He gave a brief history of the property, spoke about Bigfork Stage Road and the traffic counts, agreed with the findings of fact, spoke about the BLUAC meeting and stated the impact from the application was minimal because the infrastructure already existed.

**BOARD  
QUESTIONS**

The board and Breckenridge discussed how many lots could potentially be created in an R-1 zone and if there was any potential development on the lot to the south.

The board, Breckenridge and Grieve discussed at length why the applicant requested R-1 instead of R-2.5 zoning, potential clustering and sewer and water line availability and accessibility. They also discussed the differences between R-1 and R-2.5 clustering, if DEQ would approve a proposal for wastewater treatment center and if the applicant would have to petition Bigfork Water & Sewer District for services.

Stevens stated this application was a zone change application and not a subdivision application. All he cared about was if it fit with the rest of the area.

**AGENCY  
COMMENTS**

None.

Hogle asked the board members if they had received a comment from Joyce Mitchell.

The board and staff discussed if the comment was the official comment from BLUAC or her personal comment and how personal comments were handled.

**PUBLIC  
COMMENT**

Al Johnson, 789 Swan River Road, current member of BLUAC, explained what happened at the BLUAC meeting. He was neither for nor against the application.

**STAFF  
REBUTTAL**

Hogle stated in a zone change request it was an interesting task to envision what full build-out would be. He spoke of his evaluation and potential impacts. He felt it was not staff's role to question the applicant but review what the applicant submitted.

**APPLICANT  
REBUTTAL**

Breckenridge stated he expected due diligence from a committee and clarified the concerns of public comment which included the road and zoning.

**MAIN MOTION  
TO ADOPT  
F.O.F. and  
RECOMMEND  
APPROVAL  
(FZC 12-01)**

Stevens made a motion seconded by Faulkner to adopt staff report FZC 12-01 as findings-of-fact and recommend approval.

**BOARD  
DISCUSSION**

Stevens gave his opinion about the R-1 and R-2 zones being relevant to this application. He said the zone change fit with what existed and it was not a big development. He felt it was a good staff report and application.

The board discussed the difference between the R-1 and R-2.5 zoning and how it could affect the density, the traffic counts and the low volume of traffic on the road, the statutory criteria for an application and the role of the board.

Stevens and Grieve discussed the options for clustering in an R-1 and R-2.5 zoning which included a PUD, how having a PUD would look and what the proposal could gain from having a PUD.

Stevens said BLUAC might have more credibility if they were to address Findings of Fact as the Planning Board must do.

The board and Grieve briefly discussed owning swine in an R-1 and if that was possible and the differences between commercial and personal purposes.

**ROLL CALL TO  
ADOPT F.O.F.  
and  
RECOMMEND  
APPROVAL  
(FZC 12-01)**

On a roll call vote the motion passed unanimously.

**OLD BUSINESS**

Grieve explained the FY13 Strategic Plan the Planning Office used in the budget process and how it also helped quantify what planning staff worked on. He also spoke about updating the floodplain regulations.

The board and Grieve discussed in detail the history of the floodplain regulations, what was involved in updating the regulations and what the board's role was.

Grieve spoke about a new position in the office which involved code compliance, what the job would entail and briefly reviewed the other staff positions.

Lapp and Grieve discussed other offices such as the County Attorney's office and the Sheriff's office which would support the work on violations and community decay and what he had learned from their processes.

Stevens and Grieve also discussed options available with violations, what the county was willing to do to enforce resolution of the violations, examples of people remedying their violations and examples of submitted violations.

Grieve said if the fiscal plan was ok with the board, he needed the board to motion to approve the plan then he would present the plan to the commissioners.

The board and Grieve clarified the part time job, who the resumes were supposed to be submitted to and what the process was for hiring a new position.

**MAIN MOTION  
TO APPROVE  
FY13  
STRATEGIC  
PLAN**

DeKort motioned and Heim seconded to approve FY13 strategic work plan for the Planning Office.

**ROLL CALL  
VOTE TO  
APPROVE FY13  
STRATEGIC  
PLAN**

On a roll call vote the motion passed unanimously

**NEW BUSINESS**

Grieve spoke about the issue of staff recommendations to the various boards and reiterated his rationale behind the reason why staff did not make recommendations.

The board and Grieve discussed at length the process and pros and cons of staff making recommendations.

Grieve spoke about the procedure to apply for a zone change, the timeline for the process and possibilities for improving the timeline.

Larsen asked the status of the Growth Policy update.

Grieve updated the board on the status of the Growth Policy update.

The board and staff discussed upcoming meetings for the board.

**ADJOURNMENT**

The meeting was adjourned at 8:00 pm. on a motion by DeKort. The next meeting will be held at 6:00 p.m. on October 10, 2012.

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Marie Hickey-AuClaire, Chairman

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Donna Valade, Recording Secretary

*APPROVED AS **SUBMITTED**/CORRECTED: 10 / 10 / 12*